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Atty. Dkt. No. 030481-0184

REMARKS

Claims 2 through 31 were pending in the application. By way of this amendment, withdrawn claims 2 through 9 and 30 have been cancelled in order to simplify prosecution. A new dependent claim, claim 32, has been added to further define the invention. Dependent claim 32 is directed to the elected subject matter.

If independent claim 10 is allowed, it is respectfully requested that all claims dependent thereon be allowed (assuming that there are no indefiniteness issues).

The Applicants appreciate the Examiner's consideration of the information cited in the information disclosure statements.

The Applicants hereby affirm the oral election made on February 6, 2004.

Claims 10, 12 through 15, and 17 through 19 stand rejected under 35 U.S.C. § 103 as being unpatentable over Sigwart in view of Li.

By way of this amendment, independent claim 10 has been amended to further define the invention. It is respectfully submitted that amended claim 10 is clearly patentable for at least the following reasons.

As set forth in amended claim 10, the pressure element is in contact with a skin surface comprising the puncture wound and the side of the pressure element which is in contact with the skin surface is provided with a coagulant. In other words, in the present invention the coagulant is applied to the skin surface. In closing a puncture wound, there are the following two principally different ways to achieve haemostasis (that is, to stop the flow of blood out of the wound):

1. Apply external pressure on the skin surface to compress a blood vessel beneath the skin, such that the flow of blood therein is stopped (and thereby stopping the bleeding from a wound).

2. Introduce a sealing device into the puncture canal such that the sealing device is positioned at a wall of the blood vessel to physically block the flow of blood.

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The Sigwart patent relies on the external compression technique whereas the Li patent relies on positioning a sealing device within the puncture canal. Because these two patents each take a different approach to sealing a puncture wound, one of ordinary skill in the art would not have been motivated to combine these patents.

The Sigwart patent does not give any hint of modifying its device for applying external pressure to include a coagulant. The Li patent teaches away from use of external pressure to close the puncture wound in column 1, lines 36 to 41. In addition, in the Li patent, the chitosan is introduced into the puncture canal. In contrast, in amended independent claim 10, the coagulant is applied on the skin surface, not in the puncture canal. Thus, the way the coagulant is administered in the Li patent and the way the coagulant is administered in the invention of amended independent claim 10 are completely different. The Li patent does not suggest any other way of administering a coagulant other than administering it into the puncture canal.

The application of a coagulant on the skin surface takes care of secondary bleeding (sometimes called oozing) appearing at the skin surface.

It is therefore respectfully submitted that the present amended claims are clearly patentable over the prior art.

Applicant believes that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of

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papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R.
§1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

Date _____

By _____

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